

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 9th day of March, two thousand and sixteen.

Before:      Richard C. Wesley,  
                  *Circuit Judge*

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Gilberto Franco, On behalf of himself and all others  
similarly situated,

Plaintiff-Appellant,

**ORDER**

v.

Docket No.    15-4003

Allied Interstate LLC, FKA Allied Interstate, Inc.,

Defendant-Appellee.

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Defendant-Appellee moves to hold this appeal in abeyance pending this Court's determinations in *Geismann v. ZocDoc, Inc.* (14-3708) and *Lary v. Rexall Sundown, Inc.* (15-601). Plaintiff-Appellant opposes.

IT IS HEREBY ORDERED that the motion is GRANTED. The instant appeal shall be held in abeyance pending decisions in *Geismann* and *Lary*. Plaintiff-Appellant shall file a scheduling notification within 14 days of the later of a decision being rendered in *Geismann* or *Lary*.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

*Catherine O'Hagan Wolfe*  


A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

*Catherine O'Hagan Wolfe*  
